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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Langer *et al.* Examiner: Nguyen, D.
Serial No.: 09/553,552 Art Unit: 1633
Filing Date: April 20, 2000
Title: ENDOSOMOLYTIC AGENTS AND CELL DELIVERY SYSTEMS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER
(37 CFR § 1.321(c))

Identification of Person(s) Making This Disclaimer

I, C. Hunter Baker,

(a) represent that I am

☐ an inventor of this invention.

☐ an assignee of this invention.

WARNING: *"If the patent or patent application is assigned to an organization, such as a corporation, partnership, university, [g]overnment agency or similar entity, and the disclaimer is signed by the assignee, the assignee must comply with § 3.73(b)." Notice of Oct. 15, 1993, 1156 O.G. 54-61 at 56.*

☐ a representative authorized to sign on behalf of the assignee identified below.

WARNING: *See the above "WARNING".*

☒ the attorney of record for this invention.

NOTE: *The rules "permit an attorney or agent of record to sign a terminal disclaimer without the need to comply with § 3.73(b)." Notice of Oct. 15, 1993, 1156 O.G. 54-61, at 56.*

(if applicable)

The assignee is:

Name of assignee: Massachusetts Institute of Technology

Address of assignee: Cambridge, Massachusetts 02139

Title of disclaimant authorized to sign on behalf of assignee: _____



Extent of Disclaimant's Interest

The extent of the interest in this invention that the disclaimant owns is in:

- ☒ the whole of this invention.
- ☐ a sectional interest in this invention, as follows:
(state the exact interest of the disclaimant)

Recordal of Assignment in PTO *(if applicable)*

- ☒ The assignment was recorded on: October 10, 2000
Reel: 011172
Frame: 0752
- ☐ Authorization for recordal of the assignment is separately attached.
- ☐ A separate ☐ "ASSIGNMENT (DOCUMENT) COVER SHEET" or
☐ FORM PTO 1595 is also attached.

Establishing Right of Assignee to Take Action *(if applicable)*

- ☒ Attached is a CERTIFICATE UNDER 37 CFR 3.73(b) establishing the right of the assignee to take action in this case.
- ☐ A CERTIFICATE UNDER 37 CFR 3.73(b) establishing the right of the assignee to take action in this case was previously filed on:

Disclaimer

The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of:

- ☒ United States Patent No. 6,692,911, as presently shortened by any terminal disclaimer,
- ☐ Any patent granted on application number _____,



is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for, and during, such period that the legal title to said patent shall be the same as the legal title to

- ☒ United States Patent No. 6,692,911,
☐ Any patent granted on application number _____,

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of:

- ☒ United States Patent No. 6,692,911, as presently shortened by any terminal disclaimer,
☐ Any patent granted on application number _____,

in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued in any matter or is terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Fee Status
(37 CFR § 1.20(d))

- ☐ Other than a small entity—fee \$110.00
☒ Small entity—fee \$55.00.

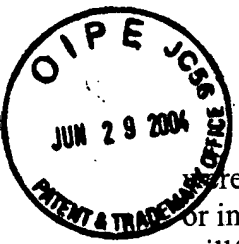
Fee Payment

- ☒ Attached is a check in the sum of \$55.00.
☒ Charge Account 03-1721 for any fee deficiency.
☐ Charge Deposit Account _____ the sum of \$ _____.

A duplicate of this disclaimer is attached.

Declaration

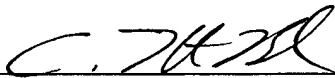
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements



are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under SECTION 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Dated: June 25, 2004


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I hereby certify that this correspondence is being deposited
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P.O. Box 1450, Alexandria, VA 22313
on June 25, 2004
Kenneth R. Maben